

MINUTES OF HAMILTON COUNTY COUNCIL, August 5, 2009
GENERALIZED SUMMARY

President Levine called to order the Compliancy Hearing for Hoosier Trade, Inc. at 6:01:00 p.m. Those in attendance were Steve Schwartz, Meredith Carter, Judy Levine, John Hiatt, Jim Belden and Brad Beaver. A quorum was declared by Auditor Dawn Coverdale.

This is a hearing for the purpose of further considering Hoosier Tradewinds' compliance with the Statement of Benefits filed under Indiana Code 6-1.1-12.1-1.

On July 1, 2009, the Hamilton County Council reviewed the Compliance With Statement of Benefits filed by Hoosier Tradewinds on June 9, 2009, and determined that Hoosier Tradewinds had not substantially complied with the Statement of Benefits. Due to those findings, the Council is required to conduct this special hearing.

On July 6, 2009, proper notice of the Council's determination and the hearing date was provided to Hoosier Tradewinds as required by law.

At this hearing, the property owner, , Hoosier Tradewinds, and other interested parties will be given an opportunity to present information as to this issue. Once the Council has heard the information, it will make a determination.

Ben Cook, President of Hoosier Tradewinds was present to discuss the compliancy issues. Hoosier Tradewinds is a trucking company that ships products across the United States and Canada. Mr. Cook stated that due to the economy the company is in a survival mode at this time. Therefore, this is the reason that the company has not been able to meet the hiring requirements as stated in the original document.

6:11:05 Councilor Levine asked if there was anyone from the public who wished to speak to this issue. There was no one. Councilor Carter moved that Hoosier Tradewinds has made reasonable efforts to substantially comply with the Statement of Benefits and the failure to substantially comply was caused by factors beyond the control of the property owner. Councilor Hiatt seconded the motion. Motion carried (5-1). Councilor Beaver voted against this motion.

Councilor Levine closed the public hearing at 6:14:18 p.m.

President Levine called to order the regular session of the Hamilton County Council at 7:03:19 p.m. Those in attendance were Steve Schwartz, Rick McKinney, Meredith Carter, Judy Levine, John Hiatt, Jim Belden and Brad Beaver. A quorum was declared by Auditor Dawn Coverdale.

7:03:53 Councilor Beaver gave the invocation and led the pledge of allegiance.

7:04:33 Councilor Schwartz moved to approve the minutes of July 1, 2009. Councilor Beaver seconded motion. Motion carried 7-0.

PUBLIC COMMENTS: None

COMMITTEE / OFFICER REPORT: 7:05:01

President: Councilor Levine

- Reported that Behavior Corp has official merged with The Center of Mental Health in Anderson. Rich DeHaven is the new President and CEO. They are currently meeting at Riverview Hospital.

Vice President: Councilor Carter

- No Report

Highway Committee: Councilor McKinney

- Council will need to consider setting aside matching federal monies. The first of three federal projects will begin in January 2010. The amount of monies needed for all three projects will be \$4,438,000. Auditor Coverdale advised advertising these monies in the 2010 budget cycle in the Rainy Day Fund.

Finance Committee: Councilor Beaver

- No Report

Personnel: Councilor Belden

- Personnel Meeting is set for September 17th at 9:00 a.m.

MISCELLANEOUS: 7:08:26

Councilor Hiatt

- Announced that there will be an AIC meeting September 28th thru October 1st in French Lick, Indiana.

Councilor Levine

- Reported she has been contacted by the Recorder's Association and the Recorder's want Council's to support a position that would encourage county council's to cover Recorder training expenses on the new laws that have passed.

Councilor Belden

- Reported Solid Waste has met and numbers continue to climb.
- Reported that the Insurance Committee has met. The Committee has discussed new reporting requirements of medicare and medicade on all claims.

Councilor Beaver

- Reported that airport runway is open.

COMMISSIONER UPDATE: 7:11:34

Commissioner Altman

- Reported that the Commissioners have approved the assessor's consolidation plan. This will be a one time cost of \$60,000. The annual savings however, will be \$150,000 per year.
- Wellness Event will be on August 20, 2009.
- There is talk of a Fire District or Fire Territory in Jackson Township. The Commissioners are requesting that the County continue the paramedic supplement through 2010.
- The Commissioners are going to request money for an RFP. This RFP will be of the unincorporated area in northern Hamilton County in terms of fire and paramedic service. This RFP will determine more strategic locations for paramedics.
- Reported that the Commissioners are currently looking into the aging water heaters throughout the Judicial Center.
- Dave Bortoff, AIC Director, forwarded AIC suggestions on local government reform. The Commissioners have reviewed this form and have requested a special session at the AIC Conference to discuss this issue.
- Reported that the Commissioner's have opened the Community Corrections Work Release Center.

UNFINISHED/TABLED BUSINESS: 7:20:20

None

NEW BUSINESS

7:20:28: Councilor Belden moved to approve claims. Councilor Hiatt seconded the motion. Motion carried 7-0.

7:20:44: Dr. Brain Smith, Superintendent of Hamilton Southeastern Schools, respectfully requested that the Hamilton County Council certify to the Hamilton County Election Board a question to be voted upon by HSE voters concerning a tax levy for operating funds. The HSE Board of School Trustees adopted a resolution on July 27, 2009 to seek this referendum.

Councilor Belden move to adopt Resolution 08-05-09-04 "A Resolution Of The Hamilton County Council Certifying A Question To The Hamilton County Election Board". The question is "For the seven calendar years immediately following the holding of the referendum, shall the school corporation impose a property tax rate that does not exceed ten cents (\$0.10) on each one hundred dollars (\$100.00) of assessed valuation and that is in addition to the school corporation's normal tuition support tax rate?" Councilor Carter seconded the motion. Motion carried (7-0).

7:29:32: Councilor Beaver move to allow a "Petition to Appeal For An Increase To The Maximum Levy for Hamilton East Public Library. Councilor McKinney seconded the motion. Motion carried (7-0).

7:38:45: Councilor Belden moved to adopt Ordinance 07-13-09-A "An Ordinance Amending The Personnel Policy of Hamilton County Indiana." Councilor Hiatt seconded the motion. Motion carried (7-0).

The Council has requested that Sheena Randall, Human Resources Director, direct all Elected Officials and Department Heads to have employees draw down on comp time as much as possible, before the December 14th deadline.

Ms. Randall has insurance minutes and will forward them on Thursday, August 6th.

7:43:18: Councilor Hiatt moved to approve Resolution 08-05-09-01 "A Resolution To Transfer Family and Children and Children's Psychiatric Residential Treatment Services Fund Monies From The County Levy Excess Fund To The County Rainy Day Fund". Councilor McKinney seconded the motion. Motion carried (7-0).

7:44:45: Councilor Levine open the public hearing for Resolution 08-05-09-2 a resolution for "The Preliminary Determination 2009 Park Bond Issue."

Mike Howard, County Attorney, addressed the County Council on the steps needed to take on this issue: 1) Hold a public hearing and consider this resolution; 2) Consider an ordinance for introduction authorizing the sale of the bond issue; and 3) Formally pass the ordinance at the next Council meeting. There will also be a hearing to appropriate the bond proceeds.

Councilor Levine asked for public comments. Mr. Jeff Juday, 3251 Sheridan Road, Noblesville and Ms. Jennifer Dunbar, 1105 Cape Coral Drive, Cicero, spoke in favor of the 2009 Park Bond. Councilor Levine closed the public hearing.

Councilor Belden moved to adopt Resolution 08-05-09-02. Councilor Schwartz seconded the motion. Motion carried (6-1). Councilor Beaver voted against.

Councilor Belden move to introduce Ordinance 08-05-09-A for first reading. Councilor McKinney seconded the motion. Motion carried (7-0).

Al Patterson announced that Hamilton County hosted the 2009 Senior Open at Crooked Stick Golf Club. The public was able to park at Cox Hall Gardens. Mr. Patterson stated that Cox Hall Gardens is doing well. Mr. Patterson also commended and thanked the Hamilton County Sheriff's Department for the job they did during the Senior Open.

EMPLOYEE VACANCIES: 7:57:55

7:57:58: Councilor Belden moved to allow hiring of Superior Court 6 Clerk/Criminal Deputy line item 046.000.1006 at a minimum \$24,601. Councilor McKinney seconded the motion. Motion carried (7-0).

8:02:48: Councilor Beaver moved to allow hiring of Health Department Mosquito Control Intern line item 105.000.000.1300 at \$10 per hour. Councilor Hiatt seconded the motion. Motion carried (7-0).

Council took a brief recess.

8:13:30: Councilor Schwartz moved to allow hiring of Deputy Coroner line item 013.000.1003 at minimum \$6,822. Councilor Beaver seconded the motion. Motion carried (7-0).

8:15:22: Councilor Beaver moved to allow hiring of UCC Deputy line item 035.000.1007 at minimum \$26,184 and amending job description. Councilor Belden seconded the motion. Motion carried (7-0).

8:16:38: Councilor Belden moved to allow hiring of Part Time line item 102.000.000.1300 at \$10 per hour to cover maternity leave. Councilor Carter seconded the motion. Motion carried (7-0).

SEPTEMBER RESOLUTIONS: 8:17:39

8:17:41: Councilor Belden resolved County General Jail line item 101.027.000.2005 for \$80,000. Councilor Schwartz seconded the motion. Motion carried (7-0).

8:19:48: Councilor Belden resolved Cumulative Capital Development line item 203.011.000.4023 Assessor Relocation for \$59,694. Councilor Carter seconded the motion. Motion carried (6-1). Councilor Hiatt voted against.

8:25:20: Councilor Levine opened the public hearing concerning additional appropriations.

8:26:05: Councilor Belden move to approve Reassessment Fund additional appropriation requests in line item 108.000.000.3713 Contractual Services for \$47,000. Councilor Schwartz seconded the motion. Motion carried (7-0).

8:26:40: Councilor Hiatt moved to transfer County General Commissioner line item 3709 Care of Wards for \$30,000 to line item 2001 Office Supplies. Councilor Belden seconded the motion. Motion carried 7-0.

8:27:25: Councilor Belden moved to approve County General Jail additional appropriation requests in line items: 101.027.000.1407 Overtime for \$220,000; 101.027.000.1304 Part Time for \$80,000 and 101.027.000.3704 Inmate Medical for \$40,000. Councilor McKinney seconded the motion. Motion carried (7-0).

8:28:16: Councilor Hiatt moved to approve County General Jail additional appropriation requests in line item 101.027.000.2020 Institutional for \$27,500. Councilor Carter seconded the motion. Motion carried (7-0).

8:29:06: Councilor Belden move to amend Prosecutor 144 line items 101.031.000.1003 R. Summerfield at \$56,387 and 101.031.000.1031 D. Swift at \$49,631 and County General Prosecutor additional line item 101.031.000.1313 for \$11,400. Councilor McKinney seconded the motion. Motion carried (7-0).

8:31:42: Councilor Schwartz moved to approve County General Prosecutor IV-D additional appropriation requests line item 101.033.000.3715 for \$199. Councilor Carter seconded the motion. Motion carried (7-0)

8:32:17: Councilor Belden moved to approve County General Sheriff additional appropriation requests in line items: 101.037.000.1407 Overtime for \$40,000 and 101.037.000.3003 Computer Software for \$8,000. Councilor Hiatt seconded the motion. Motion carried (7-0).

8:34:04: Councilor Schwartz moved to approve County General Sheriff additional appropriation requests line item 101.037.000.4008 Vehicles for \$40,000. Councilor Hiatt seconded the motion. Motion carried (7-0).

8:34:33: Councilor Beaver moved to approve Family and Children Fund additional appropriation requests in line item 104.000.000.3992 for \$5,700. Councilor Belden seconded the motion. Motion carried (7-0).

8:35:00: Councilor Belden moved to approve Major Bridge Fund additional appropriation requests in line item 120.000.000.3851 Supplement for \$1,075,415. Councilor McKinney seconded the motion. Motion carried (7-0).

8:27:27: Councilor Belden moved to approve Juvenile Detention Lease Fund additional appropriation requests in line item 179.000.000.3840 Lease Payment for \$500. Councilor Carter seconded the motion. Motion carried (7-0).

8:37:46: Councilor Belden moved to reduce Olio Road Bridge Project Fund line items: 206.000.000.3831 Construction for \$5,555,797; 206.000.000.3832 Construction Contingency for \$800,000; 206.000.000.3835 Debit Service Reserve for \$370,000 and 206.000.000.3897 Issuance for \$296,788. Councilor McKinney seconded the motion. Motion carried (7-0).

8:38:08: Councilor Beaver moved to approve Levy Excess Fund additional appropriation requests in line items: 266.000.000.3992 Care of Wards for \$1,250; 266.000.000.3993 Misc Cost of Wards/Chins for \$28,000; and 266.000.000.3994 Preservation for \$2,100. Councilor Belden seconded the motion. Motion carried (7-0).

8:39:18: Councilor McKinney moved to approve Highway COIT Fund additional appropriation requests in line item 283.000.000.4940 for \$395,000. Councilor Schwartz seconded the motion. Motion carried (7-0).

8:40:05: Councilor Hiatt moved to approve Highway COIT Fund additional appropriation request in line items: 283.000.000.4951 for \$20,000 and 283.000.000.4955 for \$35,000. Councilor Schwartz seconded the motion. Motion carried (7-0).

8:40:43: Councilor Belden moved to approve Juvenile Detention Fund additional appropriation request in line items: 356.000.000.3851 Supplement for \$340,000 and 356.000.000.3851 Supplement for \$80,000. Councilor Levine seconded the motion. Motion carried (7-0).

8:42:31: Councilor Hiatt moved to approve Jail Detention Fund line item 358.000.000.3851 Supplement for \$40,000. Councilor Carter seconded the motion. Motion carried (7-0).

8:42:56: Councilor Belden moved to approve Clerk Perpetuation Fund line item 363.000.000.3851 Supplement for \$7,819. Councilor Schwartz seconded the motion. Motion carried (7-0).

8:43:31: Councilor Levine closed the public hearing on additional appropriations.

ANNOUNCEMENTS: 8:43:38

AUDITOR'S COMMENTS 8:43:41

- Auditor presented a memo concerning the 2010 Budget Hearings and Adoption.
- Auditor stated a quorum is needed Monday morning to adopt Non-Binding Council Recommendations for Hamilton County Taxing Units. August 10, 2009 at 10:00 a.m.
- Auditor presented the "Declaration of County Tax Rates" for approval. Councilor Beaver moved to approve this declaration. Councilor Hiatt seconded the motion. Motion carried (7-0).

SHERIFF COMMENTS: 8:51:30

- Councilor Belden moved to add vacancy request to the agenda. Councilor McKinney seconded the motion. Motion carried (7-0). Councilor Schwartz moved to allow hiring of three part time individuals from line item 037.000.1305. Councilor Hiatt seconded the motion. Motion carried (7-0).
- Radio Tower Project will begin August 5, 2009.
- Council needs to meet with Sheriff Department on dispatch center and employee salaries.

ATTORNEY COMMENTS: 8:55:00

- Councilor Levine thanked the attorney for her work for preparing for tonight's meeting.

ANNOUNCEMENTS: 8:56:53

- Councilor McKinney stated that he is not comfortable with the whole non-binding recommendation process.

9:01:40: Councilor Belden moved to adjourn meeting. Meeting was duly adjourned.

Those present:

Bob Kinsey
Pam Kinsey
Pam Crozier
Steven Sharp
Cindy Juday
Sheena Randall, HR Director
David Day, HSE School
Mike Reuter, HSE School
A Patterson, Parks Director
Kathryn Mascaro, Parks Department
Debra Lloyd, Parks Department

Patricia Kinsey
Ron Kinsey
Robert Crozier
Jeff Juday
Debbie Folkerts, Assessor
David Heighway
Brian Smith, HSE Superintendent
Gail Bardach, Judge Superior 6
Brad Davis, Highway Director
Amanda Smith, Parks Department
R. Bruce Oldham, Parks Department

Fred Swift, Commissioner Asst.
BJ Casali, ISS
Jennifer Hayden, Recorder
Barry McNulty, Health Department
Jennifer Dunbar
Christine Altman, County Commissioner

President

Michael Howard, County Attorney
David Cooper, Hamilton East Library
Mary Clark, Recorder Deputy
Thurl Cecil, Coroner
Sonia Leerkamp, Prosecutor

Auditor